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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/744,885	01/31/2001	Junji Yoshida	MTS-3234US	6515
52473	7590	11/14/2006	EXAMINER	
RATNERPRESTIA			SUN, SCOTT C	
P.O. BOX 980			ART UNIT	
VALLEY FORGE, PA 19482			PAPER NUMBER	
			2182	

DATE MAILED: 11/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/744,885	<b>Applicant(s)</b> YOSHIDA ET AL.	
	<b>Examiner</b> Scott Sun	<b>Art Unit</b> 2182	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 02 June 2006.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-52 and 54-67 is/are pending in the application.
- 4a) Of the above claim(s) 1-31 is/are withdrawn from consideration.
- 5) ☐ Claim(s) 52 and 59 is/are allowed.
- 6) ☒ Claim(s) 32, 40, 50, 56, 60-62 and 67 is/are rejected.
- 7) ☒ Claim(s) 33-39, 41-49, 51, 54, 55, 57, 58 and 63-66 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Amendment***

1. Applicant's amendments to the drawings has been noted and entered. Previous objections to the drawings are withdrawn.
2. Applicant's amendments to the claims in response to the rejections under 35 U.S.C. 112 have been noted and entered. Previous rejections are withdrawn.

### ***Response to Arguments***

3. Applicant's arguments filed 6/2/2006 with respect to claims 32, 40, 56, 67 have been fully considered but they are not persuasive. Applicant's arguments are summarized as:
  - a. Prior art of record does not disclose the claim limitation "said computer sends out said command with an automatically assigned node number while sequentially changing the node number to a number other than a node number of said computer".
  - b. Prior art of record does not disclose the claim limitation "a command for requesting a node unique ID to said terminal devices".
4. Regarding argument 'a', applicant's argues that a bus reset signal is not a command. Examiner notes that the entire bus reset operation, as opposed to a single signal, can be viewed as a command, and therefore Fukunaga teaches that reset operation is used when a new device is added to the IEEE network, to reconfigure the

network and causes the new device to send configuration information. This would therefore qualify as a command for operating the new device.

Applicant further argues that the command is not sent while sequentially changing the node number to a number other than a node number of said computer. Examiner notes that Fukunaga teaches that during the reset operation, "ID's are set in numerical order, from node number 0", (column 10, lines 8-10), each device acquires a node number from the root node, which the root node sequentially assigns to the corresponding device based on the number of leaves or branches that have not been assigned a node (counting sequentially the number of leaves or branches that has been assigned a node number, figure 8), the root node obtains its own node number once all the devices have been assigned a node number.

5. Regarding argument 'b', applicant argues the distinction between node number and the node unique ID. Examiner notes that Fukunaga teaches that during a bus reset operation, each device on the network sends its unique ID information after having been assigned a node number (column 10, lines 21-25), and therefore the node number has not been equated with the node unique ID. Furthermore, the distinction is based on the details included in the IEEE 1394 standard (node unique ID is a 64-bit unique number), which is not required by claims. As such, applicant is reminded that although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 32, 40, 50, 56, 60, 61, 67 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fukunaga et al (US patent # 6,603,737) in view of Yoshino et al (US Patent #6,691,150).

1. Regarding claim 60, Fukunaga discloses a terminal device (devices on IEEE network) which uses a system comprising a computer (computer 103; figure 1a, 1b, 6-8) connected to a network (1394 bus network; column 6, lines 37-49) and a plurality of terminal devices (peripherals) connected to said network, said terminal device comprising:

A second interface (IEEE 1394 connector) which receives a command (bus reset operation) sent out via said network from said computer having a first interface (IEEE 1394 connector on computer) which sends out into said network a command (node assignment during bus reset operation) for requesting said terminal device transmission of identifying information (ID information from configuration ROM; column 11, lines 50-53, column 12, lines 20-26) capable of uniquely identifying said terminal device (column 8, lines 35-45, 54-58; column 10, lines 7-61), while sequentially changing a node number as a destination ID (column 11, lines 53-58) or by appending to said command a description as a destination ID indicating delivery to all connected devices; Examiner

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notes Fukunaga teaches that upon bus resets, the devices connected to the network respond to reset by first request for a node number assigned by root node. Once root node assigns a node number to a device, the device responds by providing ID information (including node number) to all devices on the network. Fukunaga further teaches that these functions are specified in IEEE standard 1394. Accordingly, bus reset and assignment of a node number are interpreted as command for the terminal devices to send a node unique ID.

Fukunaga does not disclose explicitly the interfaces, memory and control means and converting means for performing the functions. However, Yoshino discloses control means for performing control so as to execute said command received via said second interface (column 4, line 55 – column 5, line 15), a second memory (self-information memory 313, figure 3; column 4, lines 28-33) which is referenced by said second interface and which stores said node unique ID unique to said device to be transmitted to said computer; and input means for inputting said identifying information (interface connection), and wherein when said first interface sends the command for requesting said node unique ID into said network, said second interface returns said identifying information to said first interface via said network in response to said command, said first interface receives said identifying information sent out from said second interface via said network (column 4, line 55 – column 5, line 15); and thereby obtains correspondence between each node and each terminal device (column 5, lines 57-65; figure 7). Teachings of Fukunaga and Yoshino are from the same field of IEEE 1394 networks, and specifically of device identification.

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Therefore, it would have been obvious for a person of ordinary skill in the art at the time of invention to combine teachings of Fukunaga and Yoshino by using the hardware (interfaces, memory, etc) disclosed by Yoshino in the system disclosed by Fukunaga for the benefit of simplifying user operation (Yoshino, column 1, lines 62-67) and conforming to IEEE 1394 standard. Examiner notes that applicant also admits prior art having similar hardware components (interfaces, memory, etc) in IEEE 1394 networks (background; figure 23).

2. Claims 32, 40, 50, 56, 67 are substantially similar to claims 52-55 above.

Therefore the same arguments are applied.

3. Regarding claim 61, Fukunaga and Yoshino combined disclose claim 60, and Fukunaga further discloses wherein said identifying information is a numeric value (64 numeric vendor ID, column 12, lines 23-25).

4. Claim 62 is rejected under 35 U.S.C. 103(a) as being unpatentable over Fukunaga in view of Yoshino and further in view of Ludtke et al (6,421,069).

5. Regarding claim 62, Fukunaga and Yoshino combined disclose claim 56 and 57 but does not disclose explicitly display means. However, Ludtke teaches displaying device information on a display (column 4, lines 10-31). Teachings of Fukunaga, Yoshino, and Ludtke are from the same field of IEEE 1394 networks, and specifically of device identification.

Therefore, it would have been obvious for a person of ordinary skill in the art at the time of invention to combine teachings of Fukunaga and Yoshino and further with

teachings of Ludtke by displaying node number on display means in the combined system of Fukunaga and Yoshino for the benefit of displaying device information to the user (column 2, line 65 – column 3, line 2).

***Allowable Subject Matter***

8. Claims 52 and 59 are allowed.

9. The following is a statement of reasons for the indication of allowable subject matter:

Claims 52 and 59 recites, inter alia, "a command for requesting a node unique ID to said terminal device, while sequentially changing a node number as a destination ID or by appending to said command a description as a destination ID indicating delivery to all connected devices", "a list carrying said node unique ID or a name designating said terminal device in corresponding relationship to said node number" and "correspondence between said each node and said each terminal device is obtained by referencing said list". Prior art of record do not teach or suggest, either alone or in combination, the aforementioned limitation, nor would it be obvious to modify those references to include such limitation.

10. Claims 33, 34, 36-39, 41, 42, 51, 57 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.



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11. The following is a statement of reasons for the indication of allowable subject matter.

Claims 33, 34, 36, 37, 41, 42, 51, and 57 recite, inter alia, "said operating or said stopping of the operation is monitored" and "correspondence between the node number sent out together with said command and a timing of said operating or said stopping of the driving operation based on the timing of the command thus sent out is recognized". Prior art of record do not teach or suggest, either alone or in combination, the aforementioned limitation, nor would it be obvious to modify those references to include such limitation.

12. Claims 35, 43-49, 54, 55, 63-66 are objected to as being multiple dependant claims that would be allowable if rewritten in independent form to include all of the limitations of any claims from which each depends that were previously indicated as allowable subject matter.

### ***Conclusion***

13. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not

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mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott Sun whose telephone number is (571) 272-2675. The examiner can normally be reached on M-F, 10:30am-7pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim N. Huynh can be reached on (571) 272-4147. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

SS



**KIM HUYNH**  
**SUPERVISORY PATENT EXAMINER**  
11/14/06